

MEMORIAL

OF THE

CHEROKEE DELEGATION, EAST OF THE MISSISSIPPI
RIVER,

*Praying the interposition of Congress for securing justice to them from
the United States.*

APRIL 30, 1836.

Referred to the Committee on Finance, and ordered to be printed.

*To the honorable the Senate and House of Representatives of the United
States in Congress assembled :*

The petition of the Cherokee nation east of the river Mississippi, by
their duly authorized delegation,

RESPECTFULLY SHOWS :

That, on the 24th of October, 1804, a treaty was concluded between the United States and said Cherokee nation. In the first article the Cherokees cede a certain tract of country, of which possession was immediately taken by the citizens of the United States. In consideration of this cession, the Cherokees were to receive five thousand dollars, in goods, which were delivered, and one thousand dollars annually. Of this treaty duplicates were signed, but it was not ratified by the Senate of the United States till the 17th of May, 1824.

In January 1824, the Cherokees, as they had done before, brought it to the notice of the Government of the United States, and presented their duplicate copy. Mr. Jefferson, when applied to by the honorable John C. Calhoun, then Secretary of War, for information, said "that the treaty was entered into, is proved by the duplicate copy produced by the Indians, equally authentic with our own, by its actual execution, by the delivery of the lands on their part, and of the price in goods on ours;" and that "a failure of duty has been incurred by a lapse of memory;" that the treaty could be then ratified, and "in this way may be repaired a slip of the executive functionaries, unwittingly committed, and full justice be done to the other party." The treaty was ratified, but not full justice done to the Cherokees, though the annuities were paid that had been so long withheld by neglect on the part of the Government of the United States. They were debts honestly due, and a failure of payment not occasioned by any fault of the Cherokees, who are clearly entitled to interest upon the several sums as they fell due, till paid; and they now

ask the Congress of the United States to do them justice, by directing the same to be paid. That the Cherokees have not been in default, will appear by reference to documents in the archives of the United States, from which it will be seen they urged, from time to time, the fulfilment of said treaty till it was finally ratified, in May, 1824. The Government of the United States failed to pay the consideration for the lands purchased, and should compensate for the delay, by paying the interest above demanded. This application is made, not to the magnanimity, but justice of the American Congress, in which there is an abiding confidence, unshaken by a retrospect of delays and positive injustice on the part of the Government/functionaries. Persuaded that the views and intentions of the Congress of the United States have not been pursued in reference to Cherokee annuities, the delegation have to state that, formerly, their people were assembled at specified times and places, at the expense of the United States, to receive their annuities. These large assemblies had a demoralizing tendency, in checking civilization and the growth of virtuous principles. Under a conviction of these truths, and prior to the year 1819, at the suggestion of Colonel R. J. Meigs, the then agent of the United States, the Cherokees appointed a treasurer to receive the moneys due them, to which were added, annually, twelve hundred and eighty dollars, the estimated expense of subsisting the Indians while attending to receive annuities. This, together with the annuities, were regularly paid to the treasurer of the nation for many years, as receipts in the War Department will show. After Mr. Calhoun left the Department, the payment of the twelve hundred and eighty dollars was discontinued, for reasons never satisfactorily explained to the Cherokees; but, on the subject of the annuities, no difficulties whatever occurred till 1830; and till that time they were regularly paid to the treasurer of the nation; and then a circular letter was issued by the Secretary of War, a copy of which is here annexed, marked A, directing Indian annuities in future to be paid to the chiefs, warriors, and common Indians, in proportion to their respective grades. The Cherokees refused to receive payment in the mode prescribed, and no payments were made, though Congress annually appropriated money for that purpose. In the year 1834, an act was passed, directing Indian annuities to be paid to the chiefs or such person as the tribe might appoint. The Cherokees had before appointed a treasurer, and whose official capacity was known to the War Department, and believed no further difficulty would be thrown in the way of his receiving the annuities due them. In this they were mistaken, and met with further delays and embarrassments, which were not experienced by other tribes. The reasons for this distinction are left for others to explain, after a brief statement of facts by the Cherokees. For several years before 1830, the annuities had been regularly paid to John Martin, the treasurer of the nation, in obedience to the regulations of the Cherokee council; and after the passage of the act of Congress before referred to, he applied for the annuities due, but payment was refused, and Colonel Montgomery, the then agent, issued a notice for the heads of Cherokee families to assemble at the agency to vote whether payment should be made to the treasurer or to the individuals of the nation. At the time appointed, about four hundred heads of families attended. Benjamin F. Currey appointed his brother clerk,

appeared in the agent's office, said he was ready to proceed with the election, but thought it would be best to let but one Indian enter at a time. Colonel Montgomery, the agent, Major McIntosh, and Lieutenants Phillips and Harris, of the United States army, John Ross, principal chief, and George Lowrey, second principal chief of the Cherokees, were in the office. Mr. Ross said if there was no objection, he and Mr. Lowrey would remain. Mr. Currey objected, saying the object was to influence the Indians in their votes. Mr. Ross assured him he was mistaken, and said he had one request more to make, that the Cherokees might have a clerk and interpreter of their own, not to interfere in the election, but to satisfy the Cherokee people it was fairly conducted. Mr. Currey objected to this also. Mr. Ross then appealed to Colonel Montgomery and Major McIntosh, and said if there was any thing unreasonable in his request, he would withdraw his application. The Major, with promptness and candor, replied that he had no objections. Mr. Currey then said he would have nothing more to do with the business, and abruptly left the room. As the presence of the principal chiefs seemed to be the cause of such difficulties, Mr. Ross proposed to retire, and did so in fact. After the unceremonious departure of Mr. Currey, Colonel Montgomery doubted his own right and power to proceed with the election, but finally concluded to take the votes. They were taken, and all the people present, save one Arkansas emigrant, and he intoxicated, voted the annuities should be paid to the treasurer of the nation; and on the 17th of December following, the greater part of the sums due were so paid.

In June, 1835, a general council of the Cherokees was convened at Red Clay, when Mr. Currey attended, and put up a notice for the people to meet near John Ridge's, in July, to vote how the annuity for 1835 should be paid, saying it would be paid as a majority of votes then to be given might direct. The council entered into a resolution directing payment to be made to the treasurer, signed by five hundred and seventeen of the people, a copy of which is here annexed, marked B. A letter communicating this resolution to Mr. Currey is also annexed, marked C. The above proceedings were communicated to the War Department, but payment of the annuity was refused, upon the alleged ground that the number of the council formed but a small part of the Cherokee nation. The year before, a vote was required to be taken at the agency, as before stated, and notwithstanding the proceedings of the Red Clay council, the Cherokees were required again to meet, and that at an unusual time and place, to vote upon the same subject. The Government agents assured the people the annuity would be paid as a majority of votes to be given near Ridge's might direct. It therefore became necessary for the Cherokees to attend, and many of them at a distance of more than one hundred miles, on foot, and at their own expense. The time arrived. They packed their provisions, and attended, to the number of about three thousand. Every impediment was thrown in the way of the action of this assembly, and the people were detained three days, amid the fall of a very heavy rain, but a vote was at last taken, when two thousand two hundred and twenty-five voted to pay the annuity to the treasurer, and one hundred and fourteen against it. After such delay and oppression it was paid to the treasurer. How different from the

days when the Cherokees were subsisted when assembled to receive their yearly stipend. The only excuse that has ever been rendered for such oppression is, that it was the *policy of the Government*. The Cherokee nation, in consequence of the United States withholding the sums due, was compelled to borrow money and pay interest. If the sums referred to had been gratuities from the United States, they would have had some right to say when and how it was to be paid, but they were the proceeds of Cherokee lands sold to the United States, and enjoyed by their citizens, consequently were debts, and the Cherokees surely ought to be permitted to say who should receive the amount due. Suppose the United States indebted to the State of Georgia, it would be thought beyond endurance if those who manage the affairs of the United States should say they have no confidence in the constituted authorities of that State, or in the public treasurer, and if the money were paid over to such, it would not be used for the benefit of the common people; that it was the policy of the Government to see the amount properly applied, and that payment would be withheld till the people of Georgia should assemble under the superintendence of an agent of the United States, at such time and place as he might appoint to vote to whom it should be paid. The Cherokee case is worse. At the instance of an agent of the United States, the Cherokees appointed a person to receive the sums due them, and now payment is refused till the people shall assemble, each year, at their own expense, and formally vote who shall receive it, though they have a regular treasurer appointed, in whom they have confidence, and with whom they are satisfied. Two elections have been imposed upon them, and resulted in the same way, yet the Government of the United States is not satisfied. This is a course of policy little anticipated by the Cherokees when they put themselves under the protection of the United States. It is proper to remark, Congress has done its duty in the passage of the act of 1834, and making the proper and necessary annual appropriations, but the sums have not been paid over, according to treaty stipulations. The Cherokee delegation, now in Washington, were authorized by their nation, in open council at Red Clay, in October last, to receive the annuity for the year 1836. Their authority is here annexed, marked D. They drew an order upon the Secretary of War, here presented, marked E. This was not accepted, and learning the annuity due the Cherokees west of the Mississippi upon a similar authority had been paid to their delegation, the delegation of those east of that river addressed a letter to the honorable Secretary, here annexed, marked F, to which an answer was returned by Elbert Herring, Esq., here annexed, marked G. The design of this reply is too apparent to need comment. Wishing to have a distinct understanding with the War Department, the delegation, on the 24th of March, 1836, addressed a letter to the honorable Secretary, here annexed, marked H. They waited for a reply till the 18th instant; receiving none, they addressed him a note, here annexed, marked I. No answer is yet received. These matters are respectfully submitted to the Congress of the United States, that the honorable members may see how the Cherokees have been treated.

Feeling oppressed and injured, and that justice to the Cherokee people has been delayed, if not denied, they have no alternative but to ap-

peal to the Congress of the United for a fulfilment of that which has been guarantied by public faith in solemn treaties. 1st. That Congress will appropriate the sum of \$13,860 to pay the interest on the annuity due under the treaty of 1804, which was not paid through an omission on the part of the United States, though their citizens received the lands for which it was due. A debt acknowledged due and not paid should bear interest. 2d. That Congress will appropriate \$4,387 98 to pay the interest on the annuities deliberately withheld from the Cherokees for the years 1831, '32, '33, and '34, as hereinbefore stated. 3d. That Congress will direct these sums, and the annuities now or hereafter to become due to the Cherokee nation east, to be paid to the treasurer, John Martin, or his successor in office.

All this may be effected by amendments to the appropriation bills now before Congress, and the pledge of the United States to the Cherokee people be redeemed.

Respectfully submitted in behalf of the oppressed Cherokee nation.

John Ross,	Soft-shell Turtle,
John Martin,	Archibald Cammall,
Lewis Ross,	The Bark,
R. Taylor,	Peter of Aquohee,
James Brown,	Jesse Bushyhead,
Charles H. Vann,	John Benge,
John F. Baldridge,	Joseph Vann,
Thomas Foreman,	Thomas F. Taylor,
John Huss,	Richard Fields,
Sleeping Rabbit,	Elijah Hicks.

SUMMARY STATEMENT.

1. Interest on annuities of \$1,000 per annum, under the treaty of 1804, which were not paid for 21 years, at 6 per cent. per annum, - - - - -	\$13,860 00
2. Interest on the annuities of \$6,666 66 $\frac{2}{3}$ which were not paid for the years 1831, 1832, 1833, and 1834, but withheld by order of the War Department, - - -	4,000 00
3. Interest on \$309 83 retained out of the annuity due in 1831, and refunded by the agent to the Government of the United States; also, on \$1,881 67 paid out of the same year's annuity to Arkansas emigrants, - - - - -	262 98
4. Interest on \$1,041 67 yet withheld by the Government out of the annuity for the year 1834, - - -	125 00
Aggregate amount due, - - - - -	<u>\$18,247 98</u>

WASHINGTON CITY, April 28, 1836.

A.

CIRCULAR TO INDIAN AGENTS.

DEPARTMENT OF WAR,

Office Indian Affairs, June 18, 1830.

SIR: The Secretary of War directs that, in future, the annuities transmitted to you for the Indians of your agency, be distributed among the chiefs, warriors, and common Indians, paying to each Indian and his family the amount to which he or they may be entitled, in proportion to his grade, and no other mode; and when there are individuals without families, payment must be made to such individuals and not to the chiefs. I am, &c.

B.

RED CLAY, *May, 1835.*

Whereas it has been made known to the undersigned, citizens of the Cherokee nation east of the Mississippi, that Benjamin F. Currey, "Indian agent," &c., has issued a notification stating that a "council has been called to meet at Ridge's, near the head of Coosa, on the first Monday in this month, at which place the nation is requested to assemble, as the annuity will be paid out in the manner and to the persons designated by a majority of the voters attending," be it therefore known to all whom it may concern, that we, the undersigned, do protest against this proceeding, as well as against any change being made as to the person and manner of paying the annuities due to the nation, which was fixed upon by the vote of the Cherokee people, who assembled for that purpose, at the Cherokee agency, on the first day of October last.

[Subscribed by 517.]

C.

RED CLAY COUNCIL GROUND,

May 16, 1835.

SIR: It has become proper that the undersigned should lay before you the enclosed copy of a protest and resolution which has been adopted and signed by 517 of the Cherokee people, from the several districts of the nation, who have attended the general council, in relation to the annuity moneys now due to the nation from the United States Government. You will, therefore, please to inform the proper officer of the same, and to direct the payment of this year's annuity, without delay, to John Martin, Esq., the national treasurer.

We are, sir, your obedient servants,

JOHN ROSS, *Principal Chief,*GEORGE LOWREY, *Assist. P. Chief.*

BENJAMIN F. CURREY, Esq.,

United States Agent.

D.

RED CLAY, October 25, 1835.

Be it resolved by the committee and council, in general council convened, That the delegation appointed by the Cherokee nation east of the Mississippi, consisting of John Ross, Richard Taylor, Lewis Ross, John Martin, &c., to Washington city, as the representatives of the Cherokee nation, &c., be, and they are hereby, clothed with full powers to demand and receive all moneys due the Cherokee nation for annuities or otherwise, from the Government of the United States, by treaty stipulations, or claims that may be due individuals of this nation from the same, and to appropriate such sums as may be received, to defray all necessary expenditures on behalf of the Cherokee nation, while on business at the seat of Government.

WM. RODGERS, *Clerk N. Committee.*MOSES DANIEL, *Clerk N. Council.*RICHARD TAYLOR, *President N. Com.*

Concurred :

GOING SNAKE, his \times mark,
Speaker N. Council.

Approved :

JOHN ROSS, *Principal Chief.*

E.

WASHINGTON CITY, February 24, 1836.

To the Hon. LEWIS CASS,

Secretary of War of the United States :

Pay to John Martin, treasurer of the Cherokee nation east of the Mississippi, when an appropriation shall be made by Congress for Indian annuities, the sum of six thousand six hundred and sixty-six dollars and two-third cents, the amount of the annuity due the Cherokee nation east of the Mississippi, and for which we are authorized to draw by said nation, and he will receipt for the same.

JOHN ROSS,

LEWIS ROSS,

JOHN MARTIN,

and all the delegation except John Ridge.

F.

WASHINGTON CITY, March 5, 1836.

SIR: Some days since we drew an order in favor of John Martin, treasurer of the Cherokee nation east of the Mississippi, which we were informed you declined to accept. Our authority to draw such an order was derived from the Cherokee people in open council, assembled at Red Clay in October last, and which is here enclosed, as is also said or-

der. Being informed the annuity due the Cherokees west of the Mississippi had been paid to their delegation in this city, upon a similar resolution of their nation in council, we thought it proper to request Mr. Martin to renew his application, which we are informed has been equally unsuccessful with the first. Of the special reasons for the difference we are uninformed, and therefore address you this note, for we are apprehensive there is some misapprehension in the matter. The Cherokee nation appointed us a delegation to transact their business and clothed us with full power to receive their annuity due and apply so much thereof as might be necessary to defray our expenses. This was the act of the nation, and has not been rescinded. By an act of Congress of the 30th June, 1834, we find the following: "That the payment of all annuities, or other sums stipulated by treaty to be made to any Indian tribe, shall be made to the *chiefs* of such tribes, or to such person as said tribe shall appoint," &c. We beg leave here to remark that, in the year 1834, the Cherokees were required by the Government agents at the agency to vote how the annuity should be paid. They did direct it to be paid to the treasurer of the nation, and it was so paid. In 1835, the Government agents required the people to assemble again, at their own expense, to vote how the annuity should be paid. They again voted it to be paid to the treasurer of the nation. It is presumed the Government agents have duly informed your Department of these two directions, and the result of at each. The members of our tribe have a treasurer to whom their annuities are to be paid, and that treasurer, John Martin, being one of the delegation, they thought proper, for the purpose of avoiding all difficulty, to adopt the resolution here mentioned, and thereby appointed the person to receive the same, according to the provisions of the act of Congress. The people have a treasurer, to whom the annuities have been by their direction paid, and that treasurer is John Martin, as papers in your office will show. After the passage of the act of Congress before referred to, we believed our annuities would be paid without further difficulties, as they had been withheld for several years, but in this we were mistaken. After the elections before stated, we had hoped there would be no further difficulty, but in this it seems we are also mistaken, and have now to ask that you will inform us if it be the intention of the War Department to have elections each year, to direct how the annuities are to be paid, and whether our order will be accepted or not, or payment made to John Martin, the person known to be appointed by the Cherokees to receive their annuities. We do this, because it will be necessary, if protested, to look elsewhere for funds.

We have the honor to be, sir, &c.

JOHN ROSS,
LEWIS ROSS,
JOHN MARTIN, &c.

Hon. LEWIS CASS.

G.

DEPARTMENT OF WAR,
Office of Indian Affairs, March 9, 1836.

GENTLEMEN: Your letter of the 5th instant to the Secretary of War, with its accompanying papers, in relation to the payment of the annuity money of the Cherokees east, has been referred to me to answer.

The act of Congress authorizes annuities to be paid to the chiefs of the tribe or to such persons as the tribe shall select. The general course is to consult the tribe and to make payment according to their wishes. This has been the case with your tribes in the two preceding years, but it does not necessarily follow that in the present year they will order the payment to be made in the same manner as in the last. It has repeatedly occurred that a tribe would one year require specie, and in the next goods, in payment of their annuity. And they may also order it to be paid one year to their chiefs, and in the subsequent year to heads of families. This shows the necessity, in ordinary cases, of not paying the annuity until the tribe shall have expressed its determination. Particular circumstances, however, may justify payment to the chiefs without the interposition of the tribe. But this can only be done when such chiefs are recognised by the Government, and acknowledged by the tribe, to be at the head of the latter. This is the case with the western Cherokees; and the annuity due to that tribe will be paid in conformity with the requests made by the chiefs.

In your communication of 29th ultimo, to the Secretary of War, you state "that you had been delegated and duly constituted representatives of the Cherokee people, for the purpose of entering into a treaty arrangement with the United States Government." As I have before remarked, the delegation from the Cherokee nation, of which some of you were members and which visited this city last winter, was emphatically assured during the last session of Congress, and the assurance was officially repeated in the course of the following autumn, that no delegation would be received here to make a treaty.

Should the annuity be now paid, agreeably to your request, the Department would appropriate the money of your tribe to defray the expenses of a delegation that has come here, in defiance of its express prohibition. It cannot therefore be paid to you. In addition to all this, the President has ceased to recognise any existing government among the eastern Cherokees, and therefore the annuity due to them must be paid as they from year to year may direct.

Very respectfully, &c.,

ELBERT HERRING.

JOHN ROSS, Esq., AND OTHERS,

Washington.

The papers enclosed in your communication are herewith returned.

H.

WASHINGTON CITY, *March 24, 1836.*

SIR: We beg leave, from a sense of duty to our nation, to trouble you with another communication in relation to Cherokee annuities. By the treaty of the 27th of February, 1819, between the United States and the Cherokee nation, "the contracting parties agree that the annuity to the Cherokee nation shall be paid, two-thirds to the Cherokees east of the Mississippi, and one-third to the Cherokees west of that river, as it is estimated that those who have emigrated and who have enrolled for emigration, constitute one-third of the whole nation; but if the Cherokees

west of the Mississippi object to this distribution, of which due notice shall be given them, before the expiration of one year after the ratification of this treaty, then the census solely for distributing the annuity shall be taken at such times, and in such manner, as the President of the United States may designate." Of this distribution the Cherokees west never complained, knowing they received more than their due portion. The annuities were regularly paid from 1819 up to the year 1830, two-thirds to the Cherokees east, and one-third to those west, according to this treaty stipulation, and we are not informed that the latter have at any time claimed more than one-third. Prior to the year 1819, at the suggestion of Return J. Meigs, the agent of the United States, the Cherokees had appointed a treasurer to receive their annuities, and as the United States being bound to furnish them with provisions while attending to receive their annuity stipend, after the appointment of a treasurer, twelve hundred and eighty dollars were added and regularly paid to the treasurer, for many years, as receipts in the War Department will show. On the subject of Cherokee annuities no difficulties whatever occurred till 1830, at which time, for reasons best known to the Department, a circular letter was addressed to the Indian agents, bearing date the 18th June, 1830, saying, "The Secretary of War directs that, in future, the annuities transmitted to you, for the Indians of your agency, be distributed among the chiefs, warriors, and common Indians, paying to each Indian and his family the amount to which he or they may be entitled, in proportion to his grade, and in no other mode, and where there are individuals without families, payment must be made to such individuals and not the chiefs. It is not readily seen how the agent could tell the amount each individual would be entitled to without a knowledge of the number of the tribe, or by what rule he would fix the grade of each applicant for a portion of the annuity, unless that was determined by a supposed influence among the Indians. But the propriety of the course pointed out by the Secretary of War, we have, at present, no disposition to discuss. It is sufficient for us to know the Cherokees refused to receive their annuities in the mode prescribed, nor were they paid to them for four years, though annual appropriations were made by Congress. In the year 1834, an act was passed, directing Indian annuities to be paid to the chiefs, or such person as the tribe might appoint. This act of Congress would seem to have removed all difficulties in the way of our nation receiving their annuities, inasmuch as we had a treasurer regularly appointed by the nation, and to whom payments had been made before the date of the order of the Secretary of War, but it was made the source of further delays and embarrassments, by your Department requiring an election to be held each year to decide how the annuities should be paid, and to whom. Our treasurer was a public officer of the Cherokees, and known to the Secretary of War of the United States as such, and to whom sundry payments had been made. The first election was held at the Cherokee agency in the fall of 1834, when every vote, save one, and he an Arkansas emigrant, was given, that the annuities be paid to the treasurer of the nation; yet, out of the annuity for the year 1831, three hundred and nine dollars and eighty-three cents were retained, and returned to your Department by the agent, Hugh Montgomery, when he went out of office. This amount has been demanded by the same treasurer, and payment refused by the Commissioner of Indian Affairs, who

says another election must be held to decide who must receive it. This treasurer has made advances to the nation of his individual funds, on the credit of the money due. The Cherokees once decided that this money should be paid to John Martin, who was then, and is yet, the treasurer of the nation, but it has been withheld for near six years, without interest; and now a third election is required to take place, to decide who shall receive it; and perhaps the Cherokees to be again notified to attend at such time and place as the Government agents may think proper to designate, at their own expense, to vote. We protest against such useless and temporizing course. The Government had better withhold the claim from the nation altogether. Before we make our application elsewhere, we respectfully ask to be informed if the decision of the Commissioner of Indian Affairs is sanctioned by you, and whether the treasurer is to receive the sum above stated.

Out of the annuity due for the year 1834, there was deducted the sum of \$1,041 67, which the Commissioner says, in his letter to Hugh Montgomery, of November 18, 1834, "was caused by the alteration in the proportion due to the eastern Cherokees, occasioned by the increase of the numbers of the emigrants to the west; and that this alteration was made upon data furnished by Major Currey." We are at a loss to understand how it happened that Major Currey was permitted to regulate the amount to be paid to the eastern Cherokees, or upon what he proceeded, as the census recently taken shows they have increased. We are informed that, for the year 1834, the agents for each part of the nation made requisitions for the annuities due, two-thirds east, and one-third west; and that the delegation of the western Cherokees received of their annuity \$958 33, and the residue sent to the disbursing agent, which two sums made the amount of his requisition; and that the annuity accounts are settled with him without any reference to the \$1,041 67. Thus it is apparent the sum of \$1,041 67 has been withheld from the Cherokees east. We have to ask to be informed by the honorable Secretary, to whom this \$1,041 67 was paid, when, and by what authority; for either the United States or the Cherokees west owe our nation the amount. We will, in conclusion, remark, that the surplus of the annuity for 1831, refunded by Col. Montgomery to the United States treasury, of \$309 83, herein referred to, and the sum of \$1,881 67 distributed by the agent to Arkansas emigrants out of the same annuity, together with the sum of \$1,041 67 curtailed, as before stated, from the annuity for 1834, make the sum of \$3,233 17, which amount we claim to be justly due from the United States to our nation by treaties, agreeably to law, and ought now to be paid over to John Martin, the treasurer of the Cherokee nation, in compliance with the votes of the Cherokee people, given in 1834 and 1835, at the elections which were imposed upon them by order from the War Department. We hope the honorable Secretary will favor us with an early decision upon the claim.

We have the honor to be, sir,

Your obedient, humble servants,

JOHN ROSS,

LEWIS ROSS,

JOHN MARTIN,

and all the delegation.

Hon. LEWIS CASS.

I.

WASHINGTON CITY, *April 18, 1836.*

The undersigned delegation, representing the Cherokee nation east of the river Mississippi, present their respects to the honorable Secretary of War, and ask to be indulged in calling his attention to their communication of the 24th ultimo, on the subject of Cherokee annuities, and for certain information in relation thereto. Also, in requesting his early decision upon the matters therein stated.

The Cherokee delegation hope it will suit the convenience of the honorable Secretary to favor them with a reply at an early day.

With assurances of high regard,

They have the honor to be, sir,

Your obedient, humble servants,

JOHN ROSS,

RICHARD TAYLOR,

JOHN MARTIN,

ELIJAH HICKS,

in behalf of others.

Hon. LEWIS CASS, *Secretary of War,*
War Department.